

Appl. No. 10/786,886  
Amdt. dated November 22, 2004  
Reply to Office Action of August 26, 2004

Patent Case: CD0787Q1

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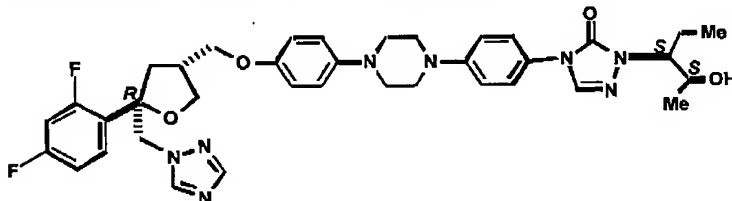
### Amendments to the Claims

The listing of claims will replace all prior versions, and listings, of claims in the application:

### Listing of Claims:

Claims 1-7 (canceled)

Claim 8 (currently amended) A Crystalline ~~crystalline~~ polymorph Form I of (-)-4-[4-[4-[(2R-cis)-5-(2,4-difluorophenyl)tetrahydro-5-(1H-1,2,4-triazol-1-ylmethyl)furan-3-yl]methoxy]phenyl]-1-piperazinyl]phenyl-2,4-dihydro-2-[(S)-1-ethyl-2(S)-hydroxylpropyl]-3H-1,2,4-triazol-3-one represented by the formula I



and characterized by the following properties:

- a ~~Melting Point Range~~ melting point range of about 164 to about 165°C<sup>±</sup> wherein the melting point range is determined using USP Class Ia procedure;
- a specific rotation equal to  $[\alpha]^{25}_D = -29.4^{\circ}$  wherein the specific rotation is determined using a concentration of 10 mg/ml in methanol;
- ~~The the X-ray Powder Diffraction Pattern~~ powder diffraction pattern presented ~~In~~ in Figure 1;
- ~~The the Differential Scanning Calorimetry Thermogram~~ differential scanning calorimetry thermogram presented ~~In in~~ in Figure 7; and

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- ~~The the Proton proton NMR Spectrum spectrum presented in in~~ Figure 10.

Claims 9 and 10 (canceled)

Claim 11 (currently amended) A pharmaceutical composition comprising an anti-fungally effective amount of the crystalline polymorph form + I of claim 8 and a pharmaceutically acceptable carrier.

Claims 12 and 13 (canceled)

Claim 14 (currently amended) A method of treating and/or preventing fungal infections in a mammal which comprises administering to said mammal an anti-fungally effective amount of the crystalline polymorph form + I of claim 8.